

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

In re)	
ACT MANUFACTURING, INC. et al.,)	Chapter 11 Bankruptcy
Debtors.)	Case No. 01-47641-JBR
)	(Substantively Consolidated)
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CRAIG R. JALBERT, LIQUIDATING)	
CEO, AS REPRESENTATIVE OF THE)	
ESTATE OF THE CONSOLIDATED)	
DEBTORS,)	
Plaintiff,)	Civil Action
)	No. 04-40088-PBS
v.)	
ALCATEL USA MARKETING, INC.,)	
Defendant.)	
)	

**MOTION TO DEFER DISPOSITION OF DEFENDANT'S
MOTION FOR LEAVE TO APPEAL AND REQUEST FOR ORAL ARGUMENT**

To the Honorable Patti B. Saris, United States District Court Judge:

Defendant Alcatel USA Marketing, Inc. ("Marketing") hereby moves that this Court defer its ruling on the *Defendant's Motion for Leave to Appeal and Request for Oral Argument*. As grounds for the foregoing request, the Defendant states that the parties have reached an agreement to settle the above referenced adversary proceeding, which, if approved by the United States Bankruptcy Court for the District of Massachusetts, will render the appeal moot, after which the Defendant will file a notice of dismissal of the appeal with prejudice.

ALCATEL USA MARKETING, INC.

By its attorneys,

/s/ Michael J. Fencer

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